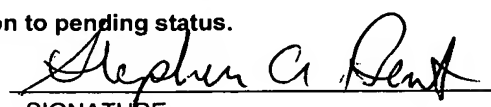


DT03 Rec'd PCT/PTO 28 DEC 2004

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE
FORM PTO-1390 (Modified)
(REV 12-2004)

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 081356-0228
INTERNATIONAL APPLICATION NO. PCT/JP2003/005956	INTERNATIONAL FILING DATE 05/13/2003	PRIORITY DATE CLAIMED 06/28/2002
TITLE OF INVENTION YEAST-ORIGIN PROMOTER AND VECTOR AND EXPRESSION SYSTEM USING THE SAME		
APPLICANT(S) FOR DO/EO/US Takehiko SAHARA, Satoru OHGIYA, Takako GODA & Kosei KAWASAKI		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;"><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;"><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;"><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;"><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 20px;"><input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;"><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern other document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Sequence Listing Statement; Diskette; PCT/IB/308; PCT/IB/304</p>		

U.S. APPLICATION NO. (If known, see 37 CFR 1.51) 10/519545		INTERNATIONAL APPLICATION NO. PCT/JP2003/005956		ATTORNEY'S DOCKET NUMBER 081356-0228	
21. <input checked="" type="checkbox"/> The following fees are submitted:					
<input checked="" type="checkbox"/> a) Basic national fee		\$300.00		\$	300.00
<input checked="" type="checkbox"/> b) Examination fee		\$200.00		\$	200.00
<input checked="" type="checkbox"/> c) Search fee		\$500.00		\$	500.00
TOTAL OF ABOVE CALCULATIONS =		\$1000.00		\$	1000.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
103 - 100 =	3 /50 =	1	x \$250.00	\$	250.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))				\$	0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	18 - 20 =	0	x \$ 50.00	\$	0.00
Independent Claims	2 - 3 =	0	x \$ 200.00	\$	0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360.00	\$	360.00
TOTAL OF ABOVE CALCULATIONS =				\$	1610.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+	\$ 0.00
SUBTOTAL =				\$	1610.00
Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	1610.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property				\$	40.00
TOTAL FEES ENCLOSED =				\$	1650.00
				Amount to be refunded:	
				charged:	
a. <input type="checkbox"/> A check in the amount of \$1650.00 to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of 1650.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charge to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:			 SIGNATURE Stephen A. Bent NAME 29,768 REGISTRATION NUMBER Date: December 28, 2004		
Foley & Lardner LLP Customer Number: 22428					

10/519545

Title: YEAST-DERIVED PROMOTERS, AND THE VECTORS AND EXPRESSION
SYSTEMS USING THE PROMOTERS

Inventor(s): Takehiko SAHARA et al.

Dkt. No. 081356/0228

Natl Phase in the U.S. of: PCT/JP2003/005956

SABE/bcb (12/28/2004)

- Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (2 pgs.) (in duplicate);
- Patent Application Specification (62 pgs.);
- Declaration & Power of Attorney (4 pgs.);
- Application Data Sheet (4 pgs.);
- Information Disclosure Statement (2 pgs.);
- PTO/SB/08 Form (1 pg.);
- International Search Report (4 pg.);
- Statement to Support Filing and Submission in Accordance with 37 C.F.R. 1.821-1.825 (1 pg.);
- Paper Copy of Sequence Listing (15 pgs.);
- Sequence Listing in Computer Readable Format on diskette;
- Executed Assignment (1 pg.);
- Recordation of Assignment (1 pg.);
- Form PCT/IB/308;
- Form PCT/IB/304;
- Petition to Accept Color Photographs Under 37 CFR 1.84 (7 pgs.);
- Color Photographs (26 Sheets in triplicate w/black and white photocopy version);
- Check No. 40518 for \$130.00.

Due Date: December 28, 2004
Date Filed: December 28, 2004

Attorney Initials: SABE/bcb
Insp. By:

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